



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

DEC 6

OFFICE OF  
CIVIL RIGHTS

**RETURN RECEIPT REQUESTED**  
**Certified Mail # 7003 2260 0005 1961 1889**

**In Reply Refer To:**  
**EPA File No 06R-05-R6**

David Hudson Jr.  
Family Area Ministry & Education  
290 County Road 329  
DeBerry, Texas 75639

**Re: REJECTION OF ADMINISTRATIVE COMPLAINT**

Dear Mr. Hudson:

This letter is in reference to your May 23, 2005, administrative complaint filed with the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR). Your complaint alleges that the Texas Railroad Commission (TRC) violated Title VI of the Civil Rights Act of 1964, as amended (Title VI) 42 U.S.C. §§ 2000d *et seq.*, and EPA's Title VI implementing regulations found at 40 C.F.R. Part 7. OCR has reviewed your complaint and must reject it for investigation because it does not meet EPA's jurisdictional requirements for acceptance.


Under Title VI, a recipient of federal financial assistance may not discriminate on the basis of race, color, or national origin. Pursuant to EPA's Title VI implementing regulations, OCR conducts a preliminary review of Title VI complaints for acceptance, rejection, or referral. 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's Title VI regulations. First, it must be in writing. Second, it must describe an alleged discriminatory act that violates EPA's Title VI regulations (*i.e.*, an alleged discriminatory act based on race, color, or national origin). Third, it must be filed within 180 calendar days of the alleged discriminatory act. 40 C.F.R. § 7.120. Fourth, the complaint must be against an applicant for, or recipient of, EPA assistance that allegedly committed the discriminatory act. 40 C.F.R. § 7.15.

Your complaint does not meet EPA's jurisdictional requirements for acceptance. Specifically, TRC is not an applicant for, nor recipient of EPA financial assistance. Therefore, OCR cannot accept your complaint for investigation.

Since your complaint concerns a transportation-related organization, we are forwarding it to the U.S Department of Transportation for their review and any action they believe is appropriate. You will be copied on that letter.

If you have any questions, please contact Ms. Karen Randolph of the OCR External Compliance Program by telephone at (202) 343-9679, via electronic mail at [Randolph.karen@epa.gov](mailto:Randolph.karen@epa.gov), or by mail at U.S. EPA Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460.

Sincerely,



Karen D. Higginbotham  
Director

cc: Ronald Kitchens, Executive Director  
Railroad Commission of Texas  
P.O. Box 12967  
Austin, Texas 78711-2967

Stephen G. Pressman, Associate General Counsel  
Civil Rights Law Office (MC 2399A)

Sherry Brown-Wilson, Title VI Coordinator  
EPA Region 6